



Reprinted
January 25, 2005

SENATE BILL No. 149

DIGEST OF SB 149 (Updated January 24, 2005 3:01 pm - DI 44)

Citations Affected: IC 5-10.3; IC 21-6.1.

Synopsis: Trustees of pension funds. Adds the director of the budget agency or the director's designee to the boards of trustees of the public employees' retirement fund (PERF) and the teachers' retirement fund (TRF). Eliminates membership in a collective bargaining unit of state employees as one of the alternative criteria for appointment to the PERF board. Provides that members of each board who are state officers or employees are not entitled to a per diem but are entitled to reimbursement for necessary expenses incurred through service on the board.

Effective: July 1, 2005.

Lubbers

January 4, 2005, read first time and referred to Committee on Pensions and Labor.
January 20, 2005, reported favorably — Do Pass.
January 24, 2005, read second time, amended, ordered engrossed.

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SB 149—LS 6680/DI 44+



First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

SENATE BILL No. 149

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-10.3-3-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) The board is
3 composed of **six (6) trustees**.

4 **(b) Five (5) of the trustees shall be appointed by the governor, as**
5 **follows:**

6 (1) One (1) ~~of whom~~ must be a member of the fund with at least
7 ten (10) years of creditable service.

8 (2) Not more than three (3) ~~of whom~~ may be members of the same
9 political party. ~~and~~

10 (3) One (1) ~~of whom~~ must be

11 ~~(A) a member of a collective bargaining unit of state~~
12 ~~employees represented by a labor organization; or~~

13 ~~(B) an officer of a local, a national, or an international labor~~
14 ~~union that represents state employees.~~

15 **(c) The director of the budget agency or the director's designee**
16 **is an ex officio voting member of the board.**

17 ~~(b)~~ **(d)** The governor shall fill by appointment vacancies on the

SB 149—LS 6680/DI 44+



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board in the manner described in subsection ~~(a)~~ of this section: **(b).**

~~(c)~~ **(e)** In making the appointments under subsection ~~(a)~~; **(b)**, the governor may consider whether at least one (1) trustee is a retired member of the fund.

SECTION 2. IC 5-10.3-3-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. **(a)** Each trustee **who is not a state officer or employee** is entitled to **receive both of the following**:

(1) Compensation of four hundred fifty dollars (\$450) on October 1, January 1, April 1, and June 30. ~~In addition, the board shall reimburse each trustee~~

(2) Reimbursement for necessary expenses **actually** incurred through service on the board.

(b) Each trustee who is a state officer or employee is entitled to reimbursement for necessary expenses actually incurred through service on the board.

SECTION 3. IC 5-10.3-3-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6. ~~Voting; Quorum. Three (3)~~ **Four (4)** trustees constitute a quorum for the transaction of business. Each trustee is entitled to one (1) vote on the board. A majority vote is sufficient for adoption of a resolution or other action at regular or special meetings.

SECTION 4. IC 5-10.3-4-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. ~~The Auditor of State.~~ The auditor of state shall draw warrants upon the treasurer of state in payment of properly prepared vouchers signed by:

(1) a trustee of the fund, or except for the director of the budget agency or the director's designee;

(2) the director; or

(3) an assistant designated by the director;

as may be designated by the board.

SECTION 5. IC 21-6.1-3-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. ~~Composition; Appointment.~~ **(a)** The board of trustees is composed of ~~five (5)~~ **six (6)** persons.

(b) Five (5) of the trustees shall be appointed by the governor. Not less than two (2) of ~~whom are the trustees appointed by the governor~~ **must be** members of the fund. The governor shall make these appointments after June 30 and before July 16 each year.

(c) The director of the budget agency or the director's designee is an ex officio voting member of the board.

SECTION 6. IC 21-6.1-3-4 IS AMENDED TO READ AS



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1 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. (a) On the board's
2 order:
3 **(1) the trustees who are not state officers or employees** shall
4 receive the same per diem, mileage, and travel allowances paid to
5 members of the general assembly serving on interim study
6 committees established by the legislative council; **and**
7 **(2) the trustees who are state officers or employees are**
8 **entitled to reimbursement for necessary expenses actually**
9 **incurred through service on the board.**
10 These costs shall be paid from resources at the disposal of the fund.
11 (b) Special meetings may be conducted on the call of the president
12 or on the signed call of three (3) trustees.
13 (c) A majority of the board constitutes a quorum at any meeting for
14 transacting business.

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COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill No. 149, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 149 as introduced.)

HARRISON, Chairperson

Committee Vote: Yeas 7, Nays 2.

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SENATE MOTION

Madam President: I move that Senate Bill 149 be amended to read as follows:

Page 3, delete lines 7 through 10, begin a new line block indented and insert:

"(2) the trustees who are state officers or employees are entitled to reimbursement for necessary expenses actually incurred through service on the board."

(Reference is to SB 149 as printed January 21, 2005.)

LUBBERS

SENATE MOTION

Madam President: I move that Senate Bill 149 be amended to read as follows:

Page 1, line 10, delete ":".

Page 1, strike lines 11 through 12.

Page 1, line 13, strike "(B)".

(Reference is to SB 149 as printed January 21, 2005.)

YOUNG R MICHAEL

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